

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MARCH 11, 2015

The Southeast Cass Water Resource District met on March 11, 2015, at 1:30 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug, Chairman; Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brenda Lovgren, Administrative Assistant; Lukas Andrud, Attorney for the Board; Chad Engels and Kurt Lysne, Engineers for the Board; Ken Pawluk, Cass County Commissioner; Brady Woodard, Moore Engineering, Inc.; George Grossman, City of West Fargo; Nathan Boerboom and Jason Leonard, City of Fargo Engineering Department.

Approval of agenda

It was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to approve the order of the agenda, as amended.

Minutes

It was moved by Manager Yohe, seconded by Manager Jacobson, and unanimously carried to approve the minutes of the February 10, 2015, meeting.

Sheyenne-Maple Flood Control Projects - reassessment

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to begin the reassessment process for Sheyenne-Maple Flood Control District #1 and #2. Upon roll call vote, the motion carried unanimously.

Sheyenne-Maple Flood Control Projects – Superintendent position

Sean Fredricks circulated a draft of the *Maintenance Agreement [Amended and Reconstituted]* between Southeast Cass Water Resource District and the City of West Fargo. The agreement includes the appointment of Chris Brungardt as Superintendent and George Grossman as Deputy Superintendent for the Sheyenne-Maple Flood Control Projects. The Board will consider approval of the agreement at the next meeting, after it has been reviewed by the City of West Fargo.

Sheyenne-Maple Flood Control Projects – roadway improvements on 12th Avenue North at the Project #1 tieback levee – Temporary Construction Easements with the City of Fargo and City of West Fargo

It was moved by Manager Jacobson and seconded by Manager Yohe to approve extending 3 *Temporary Construction Easements* with the City of Fargo and 2 *Temporary Construction Easements* with the City of West Fargo to November 30, 2017, regarding

the roadway improvements project on 12th Avenue North from Cass County Highway 19 to 45th Street, crossing the Sheyenne-Maple Flood Control District #1 north tieback levee. Upon roll call vote, the motion passed unanimously.

Drain #21 improvements from Main Avenue to 12th Avenue North

Kurt Lysne reviewed the *Engineer's Opinion of Probable Cost* for Drain #21 improvements from Main Avenue to 12th Avenue North. The City of West Fargo would like to proceed with the project, which would increase the capacity of the drain to improve local drainage and help prevent interior flooding within the city.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to finalize plans and specifications, prepare a hydraulic report to send to the railroad, apply for the state permit, proceed with right of way procurement, and to authorize Sean Fredricks to draft a *Joint Powers Agreement* with the City of West Fargo regarding Drain #21 improvements from Main Avenue to 12th Avenue North. Upon roll call vote, the motion carried unanimously.

Drain #45 improvements from 12th Avenue NW to the Sheyenne-Maple Flood Control District #1 tieback levee

Kurt Lysne reviewed the *Engineer's Opinion of Probable Cost* for Drain #45 improvements from 12th Avenue NW to the Sheyenne-Maple Flood Control District #1 tieback levee. The City of West Fargo would like to proceed with the project, which would increase the capacity of the drain to improve local drainage and help prevent interior flooding within the city.

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize Moore Engineering, Inc. to finalize plans and specifications, prepare a hydraulic report to send to the railroad, apply for the state permit, and proceed with right of way procurement regarding Drain #45 improvements from 12th Avenue NW to the Sheyenne-Maple Flood Control District #1 tieback levee. Upon roll call vote, the motion carried unanimously.

Sheyenne River and Wild Rice River Snagging and Clearing

Brady Woodard updated the Board regarding the Sheyenne River and Wild Rice River Snagging and Clearing Projects. Work is complete on the Wild Rice River.

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the following contracts for the Sheyenne River Snagging and Clearing Project:

- Project 2 Reach 1 with American Enterprises, Inc.
- Project 2 Reach 2 with Industrial Builders, Inc.
- Project 2 Reach 3 with Industrial Builders, Inc.

Upon roll call vote, the motion carried unanimously.

It was moved by Manager Jacobson and seconded by Manager Yohe to approve and authorize the Chairman to sign the State Water Commission *Agreement for Cost-Share Reimbursement* regarding the 2014-2015 Wild Rice River Snagging and Clearing Project. Upon roll call vote, the motion carried unanimously.

Drain #27 – maintenance in Copperfield Court, south of 40th Avenue South

Sean Fredricks will meet with the North Dakota Insurance Reserve Fund appointed defense counsel and the Fargo City Attorney next week regarding the Answer to the Summons and Complaint filed by a homeowner in Copperfield Court regarding Drain #27 maintenance, south of 40th Avenue South.

Drain #27 – relocation of power lines south of 52nd Avenue

Minnkota Power Cooperative, Inc. is planning to rebuild its existing above-ground electric transmission line along Veteran's Boulevard, crossing Drain #27 in the E 1/2 of Section 5 in Stanley Township. Nathan Boerboom informed the Board that the City of Fargo will eventually construct a levee in that area. A *Utility Permit* will be submitted for the project for the Board's consideration at the next meeting.

Application No. S-1930 for Oxbow Job Development Authority to construct a new irrigation water intake structure on the left bank of the Red River in the NW 1/4 SW 1/4 of Section 19 in Pleasant Township

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize the Secretary-Treasurer to submit a letter to the Office of the State Engineer stating the Board has no comment regarding Application No. S-1930 for Oxbow Job Development Authority to construct a new irrigation water intake structure on the left bank of the Red River in the NW 1/4 SW 1/4 of Section 19 in Pleasant Township. Upon roll call vote, the motion carried unanimously.

Utility Permit for the City of Fargo to install sanitary sewer and water main utilities under Drain #45 and the Sheyenne-Maple Flood Control District #1 tieback levee in Section 33 of Reed Township

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Utility Permit* for the City of Fargo to install sanitary sewer and water main utilities under Drain #45 and the Sheyenne-Maple Flood Control District #1 tieback levee in Section 33 of Reed Township, subject to conditions provided by the Water Resource District Engineer, and to authorize the Secretary-Treasurer to send a letter to the Corps of Engineers requesting a letter stating they have no objections to the proposed project. Upon roll call vote, the motion carried unanimously.

Utility Permits

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the following *Utility Permits*, subject to conditions provided by the Water Resource District Engineer:

- For Midcontinent Communications to install conduit and fiber across Drain #27 north of 44th Avenue South; and
- For Midcontinent Communications to install conduit and fiber across Rose Coulee on the west side of 25th Street South.

Upon roll call vote, the motion passed unanimously.

Items for review and comment, with input provided by the Water Resource District Engineer

It was moved by Manager Jacobson and seconded by Manager Yohe to approve and authorize the Secretary-Treasurer to submit comment on the following, with input from the Water Resource District Engineer:

- Correspondence from the Fargo Department of Planning and Development as follows:
 - April preliminary packet
 - The Aspens First Addition
 - Urban Plains zoning change application
- Correspondence from West Fargo Planning as follows:
 - Westport Beach

Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Jacobson and seconded by Manager Yohe to approve payment of Checks #11677 through #11696, the electronic funds transfers and the debit card transaction, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson, and Yohe. The Chairman declared the motion passed.

Lower Sheyenne River Watershed Retention Plan – Amendment I to the Agreement for Cost-Share Reimbursement with the State Water Commission

It was moved by Manager Yohe and seconded by Manager Jacobson to approve and authorize the Chairman to sign *Amendment I to the Agreement for Cost-Share Reimbursement* with the State Water Commission regarding the Lower Sheyenne River Watershed Retention Plan. Upon roll call vote, the motion carried unanimously.

Metro Flood Diversion Project - analysis of Drains #21C, #47, #50, and #51

Moore Engineering, Inc. has completed a general overview of Drains #21C, #47, #50 and #51 with regard to the Metro Flood Diversion Project. They have compiled existing cross sectional information, design grade, normal depth of flow for a 10-year event, and outlet type. Additional analysis will be conducted and findings will be presented to the Board at a later date.

Engineering Services Contract

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Agreement Between Owner and Engineer for Professional Services – Task Order Edition* between Southeast Cass Water Resource District and Moore Engineering, Inc. Upon roll call vote, the motion carried unanimously.

It was moved by Manager Yohe and seconded by Manager Jacobson to approve Task Order No. 1 for engineering services with Moore Engineering, Inc. Upon roll call vote, the motion carried unanimously.

FM Flood Risk Management District No. 1 - ballots

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Chairman to vote "yes" and to sign the FM Flood Risk Management District No. 1 ballots on behalf of the Southeast Cass Water Resource District. Upon roll call vote, the motion carried unanimously.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to adjourn the meeting.

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer